

**From:** [Cohen, Adam](#)  
**To:** [Wirtschafter, Joshua](#)  
**Cc:** [Cohen, Adam](#)  
**Subject:** RE: Leviathan - Second Modification to AOC Adding Insurance as Available form of Financial Assurance  
**Date:** Thursday, August 21, 2014 9:51:46 AM  
**Attachments:** [Second Modification to AOC\\_20140820.docx](#)

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These changes look acceptable, also subject to Atlantic Richfield management approval.

**ADAM S. COHEN**

P: 303.892.7321 ▪ C: 720.936.3017 ▪ P: 303.892.9400 ▪ [vcard](#)

**Davis Graham & Stubbs LLP**

1550 17th Street, Suite 500 ▪ Denver, CO 80202

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**From:** Wirtschafter, Joshua [mailto:Wirtschafter.Joshua@epa.gov]  
**Sent:** Wednesday, August 20, 2014 7:23 PM  
**To:** Cohen, Adam  
**Subject:** RE: Leviathan - Second Modification to AOC Adding Insurance as Available form of Financial Assurance

Adam,

I'm discussing the Captive Insurance issue with headquarters later this week, and I will subsequently elevate the issue within the Region.

In the meantime, I have reviewed your proposed modification of the Leviathan AOC. It generally looks good. I've got a couple minor tweaks to suggest. Obviously, this is still subject to management approval. But let me know if these changes seem acceptable to you.

- Josh

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**From:** Cohen, Adam [mailto:Adam.Cohen@dgsllaw.com]  
**Sent:** Monday, August 18, 2014 10:32 AM  
**To:** Wirtschafter, Joshua  
**Cc:** Cohen, Adam  
**Subject:** Leviathan - Second Modification to AOC Adding Insurance as Available form of Financial Assurance

Josh – As discussed last Friday, here's a proposed Second Modification to the AOC, which adds insurance to the available forms of financial assurance listed in Paragraph 141. I used the July 22,

2013 Modification as a template. I used the language in Paragraph 72.d from EPA's January 30, 2007 Model AOC for Removal Action (<http://www2.epa.gov/enforcement/model-administrative-settlement-agreement-and-order-consent-removal-actions>) to describe the insurance option.

Let me know if this is acceptable to EPA.

**ADAM S. COHEN**

P: 303.892.7321 ▪ C: 720.936.3017 ▪ P: 303.892.9400 ▪ [vcard](#)

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